



WEST VIRGINIA SENATE
COMMITTEE ON THE JUDICIARY

MINUTES FOR FEBRUARY 4, 2019, 4:15 A.M.

Pursuant to the call of the Chairman, the Senate Committee on the Judiciary met on February 4, 2019, at 4:15 p.m. in Room 208-W.

All members being present, with the exception of Senators Boso and Takubo, who were absent, the Chairman declared the presence of a quorum. (See attached roll call and agenda).

On motion of Senator Weld, the minutes of the previous meeting were approved.

Chairman Trump moved **S. B. 237** to the top of the agenda.

S. B. 237 - Improving ability of law enforcement to locate and return missing persons.

Sarah Canterbury, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Scott M. Pettry, First Lieutenant, West Virginia State Police, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Woelfel, the committee agreed to the committee substitute.

On motion of Senator Woelfel, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

Chairman Trump moved **S. B. 356** next on the agenda.

S. B. 356 - Authorizing Division of Corrections and Rehabilitation to release certain information to county prosecutors and US Attorney.

Tom Smith, Chief Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

On motion of Senator Beach, the committee agreed to the committee substitute.

On motion of Senator Beach, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

Chairman Trump moved **S. JR. 5** next on the agenda.

S. JR. 5 - Clarification of the Judiciary's Role in Impeachment Proceedings Amendment.

Tom Smith, Chief Counsel, explained the resolution, the purpose of the proposed committee substitute, and responded to questions.

On motion of Senator Romano, the committee amended the resolution on page 2, lines 7-9, Article 4, Section 9, to read “Rules of practice or procedure adopted by the House of Delegates for impeachment proceedings or by the Senate for a trial on Articles of Impeachment shall not be subject to judicial review or judicial interpretation.”

Senator Baldwin moved to retain the word “maladministration” on page 1, line 20 and define the term within the Constitution.

Chairman Trump laid over the bill.

On motion of Senator Weld, the committee adjourned.



Charles S. Trump IV, Chair



Beverly Douglas, Analyst/Clerk